

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>ANTHONY DeFRANCO,</b>	)	
<b>Plaintiff</b>	)	
<b>v.</b>	)	<b>C.A. No. 04-230 Erie</b>
	)	<b>District Judge Cohill</b>
<b>WILLIAM WOLFE, et. al.,</b>	)	<b>Magistrate Judge Baxter</b>
<b>Defendants.</b>	)	

**ORDER**

AND NOW, this 26<sup>th</sup> day of May, 2006;

IT IS HEREBY ORDERED that Plaintiff's motion to compel discovery [Document # 167] is DENIED.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
Chief U.S. Magistrate Judge